

October 26, 2017

Members of the Variance Board,

First of all, thank you for hearing my variance application the previous two months and approving my request. During the process, I was asking for a metal structure versus other materials because of the cost difference. At the time of our previous meeting, the difference between a metal structure and one finished in vinyl was over \$7000. We came to a compromise of using board and baton since it was supposed to be close in cost to the metal.

After the meeting, I contacted my building contractor to come up with a new proposal. They told me that board and baton would be closer in cost to vinyl than metal. I would rather not deal with the upkeep of the board and baton and am requesting that the variance approved last meeting be amended to say 'board and baton or vinyl to match the house'. The contractor was able to lower the cost of vinyl by \$1300 and that in conjunction with removing the 12 by 16 ft overhang has made the cost a little more palatable.

Thank you for considering my request.

David Ganschow

*David Ganschow*  
6055 Railroad St.  
Clarence Center

RECEIVED  
OCT 30 2017  
ZONING OFFICE

## Neighbor Notification Form

A public hearing will be held at the Clarence Town Hall in the Kathleen Hallock Conference Room at 7:00 p.m. on Tuesday November 14, 2017 to hear a request for a variance to the Clarence Town Code regarding property located at:

6055 Railroad St.  
Clarence Center, NY 14032  
Owner: David Ganschow

---

I/We, the undersigned, own the property which adjoins the above described property and have been informed of the variance requested in accordance with the drawing attached hereto.

④ to add  
"or vinyl"  
to the  
variance.

↙  
6065 Railroad St.  
Address  
David P. Ganschow  
Signature(s)

**REQUEST FOR  
ACTION BY:**

**TOWN OF CLARENCE, N.Y.**

- ☒ Appeal Board  
☐ Planning Board  
☐ Town Board

- ☒ Appeal  
☐ Rezone  
☐ Revise Ordinance  
☐ Subdivision  
☐ Limited Use Permit  
☐ Other

Rec'd. by: Planning and Zoning

Date October, 2017

**Action Desired** Applicant requests a variance of 3.65' to allow for a 6.35' side yard setback for the construction of a detached accessory structure (generator) located at 4624 Brentwood Drive in the Residential Single-Family zone.

**Reason** Town Code Reference:  
§229-55 (E) (1)

**PLEASE PRINT**

<b>Name</b>	Ryan Glaser		
<b>Address</b>	4624 Brentwood Drive		
	Williamsville NY	14221	
<b>Town/City</b>		<b>State</b>	<b>Zip</b>
<b>Phone</b>	716-946-8368		
<b>Signed</b>	SIGNATURE ON FILE		

Requests for action on zoning should be filled out completely in above spaces if practicable; otherwise give brief description and refer to attached papers. The complete request with all necessary plans, maps, signatures, should be filed with the Secretary of the Planning Board. Requests (except appeals) may be filed with the Town Clerk or Town Board, but will generally be referred to Planning Board with subsequent loss of time.

**Initial Action**

Approved ☐  
Rejected ☐ by ..... on ..... 20 .....  
Approved ☐  
Rejected ☐ by ..... on ..... 20 .....

Published (Attach Clipping) ..... on ..... 20 .....

Hearing Held by ..... on ..... 20 .....

**Final Action Taken**

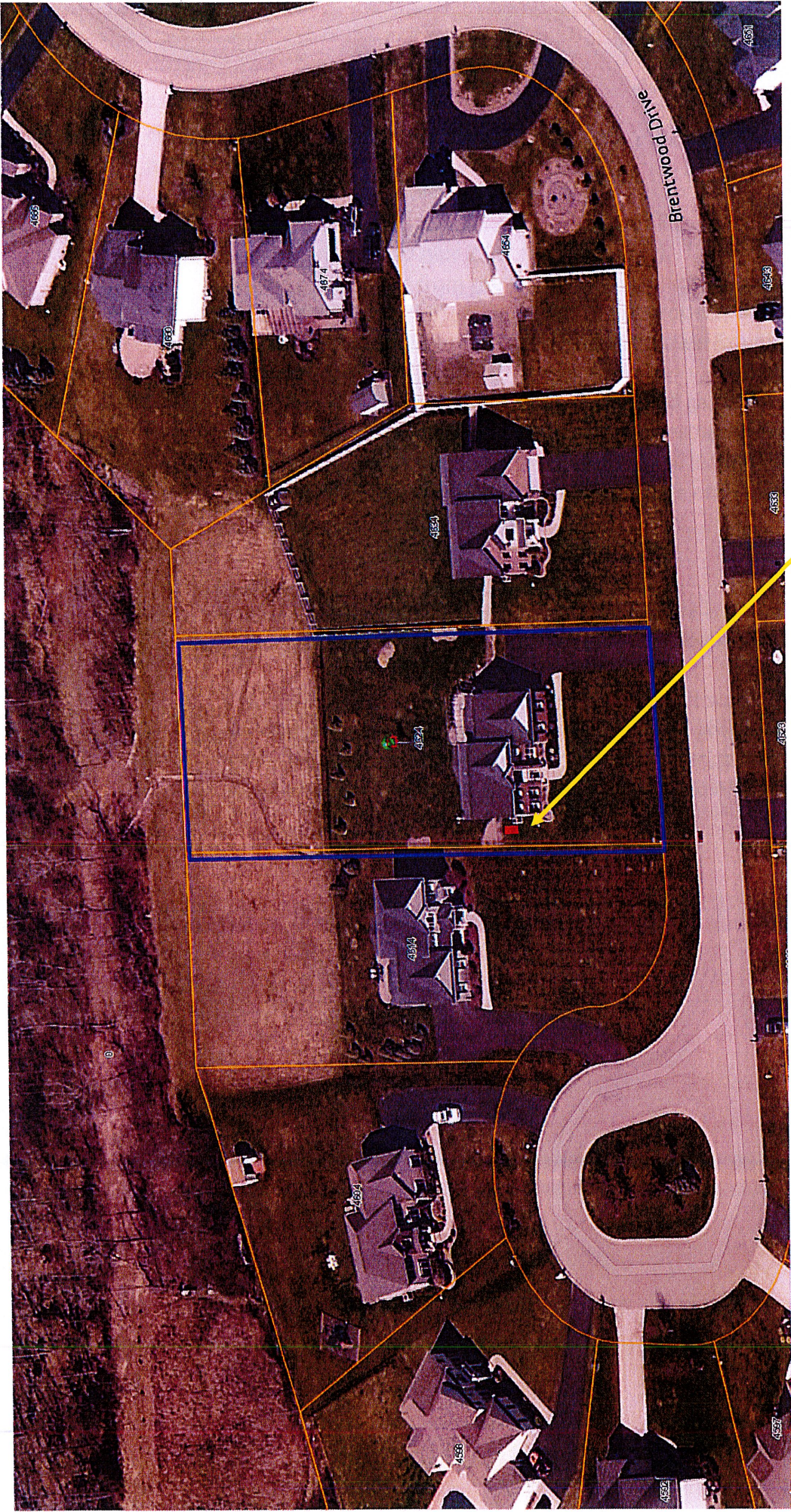
Approved ☐  
Rejected ☐ by ..... on ..... 20 .....

Published (Attach Clipping) ..... on ..... 20 .....

Filed with Town Clerk ..... on ..... 20 .....

Filed with County Clerk ..... on ..... 20 .....





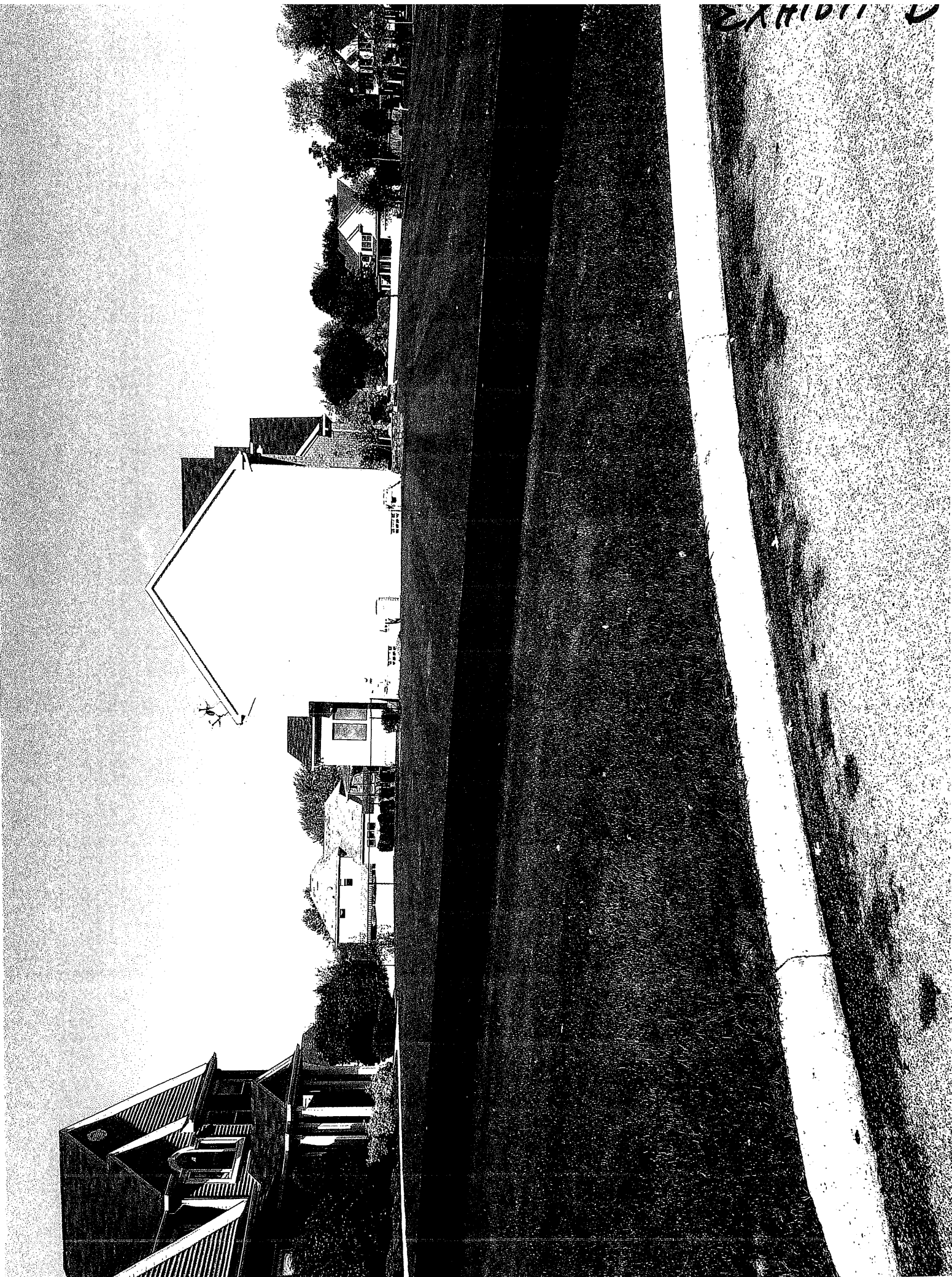
\* note the parcel lines displayed are approximate

4624 Brentwood Drive



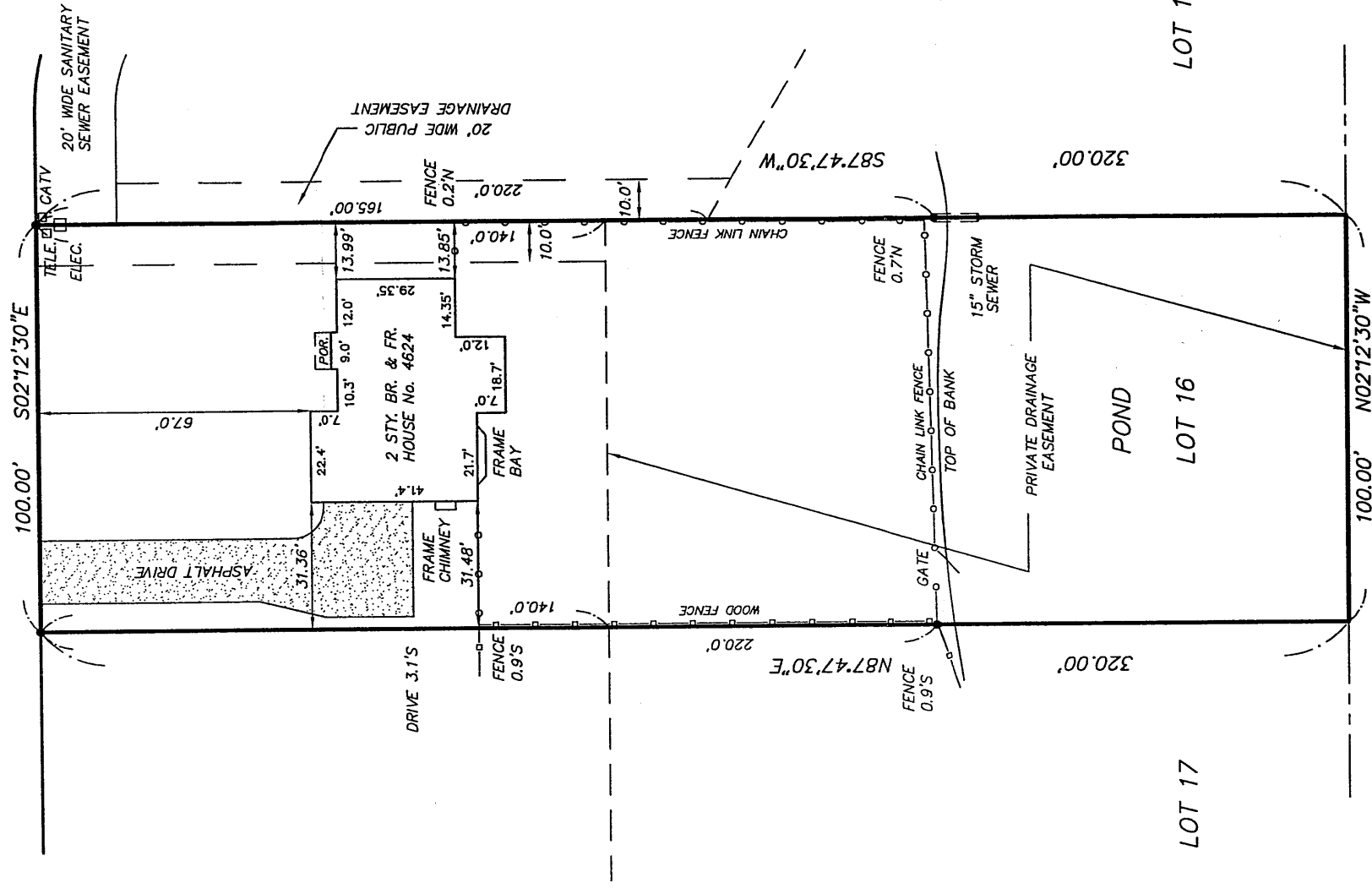
Proposed generator with a 6.35' side yard setback  
10' side yard setback required







# BRENTWOOD DRIVE (WIDTH VARIES)



NOTE: UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209 PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.  
NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE.

- SET OR EX. 5/8" REBAR

*[Signature]*

DATE	REVISION/TYPE
6/4/13	RESURVEY
9/15/06	HOUSE LOCATION
7/10/06	FOUNDATION LOCATION



GPI ENGINEERING & SURVEYING, LLP  
FORMERLY PRATT & HUTH ASSOCIATES, LLP  
ENGINEERING • SURVEYING • PLANNING  
4950 GENESEE STREET, SUITE 165  
BUFFALO, NEW YORK 14225  
(716) 633-4844 FAX 633-4940

SURVEY OF  
SUB LOT 16, COVER 3201  
ROXBERRY SUBDIVISION  
BEING PART OF LOT 8, SECTION 13, TOWNSHIP 12, RANGE 6  
HOLLAND LAND SURVEY  
TOWN OF CLARENCE, ERIE COUNTY, NEW YORK

Job No. 2864-16 Date: MARCH 3, 2006  
Scale 1" = 40' Tax No.



**REQUEST FOR  
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TOWN OF CLARENCE, N.Y.**

☒ Appeal Board  
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☐ Town Board

☒ Appeal  
☐ Rezone  
☐ Revise Ordinance  
☐ Subdivision  
☐ Limited Use Permit  
☐ Other

Rec'd. by: Planning and Zoning

Date November 1, 2017

**Action Desired** Applicant requests a variance of 12.5' to allow a 22.5' front yard setback for the construction of an attached accessory structure located at 4290 Fireside Drive in the Residential Single-Family zone.

**Reason** Town Code Reference:  
§229-52 (A) (1)

**PLEASE PRINT**

<b>Name</b>	John Thomann		
<b>Address</b>	4290 Fireside Drive		
	Williamsville NY	14221	
<b>Town/City</b>	<b>State</b>	<b>Zip</b>	
<b>Phone</b>	716-583-2320		
<b>Signed</b>	SIGNATURE ON FILE		

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 Filed with County Clerk ..... on ..... 20 .....





\* note the parcel lines displayed are approximate

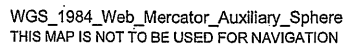
4290 Fireside Drive



Proposed 720 sqft (24'x30') attached accessory structure with 22.5' front yard setback.

35' front yard setback required.





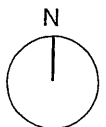
ERIE COUNTY  
DEPARTMENT OF ENVIRONMENT & PLANNING  
OFFICE OF GIS

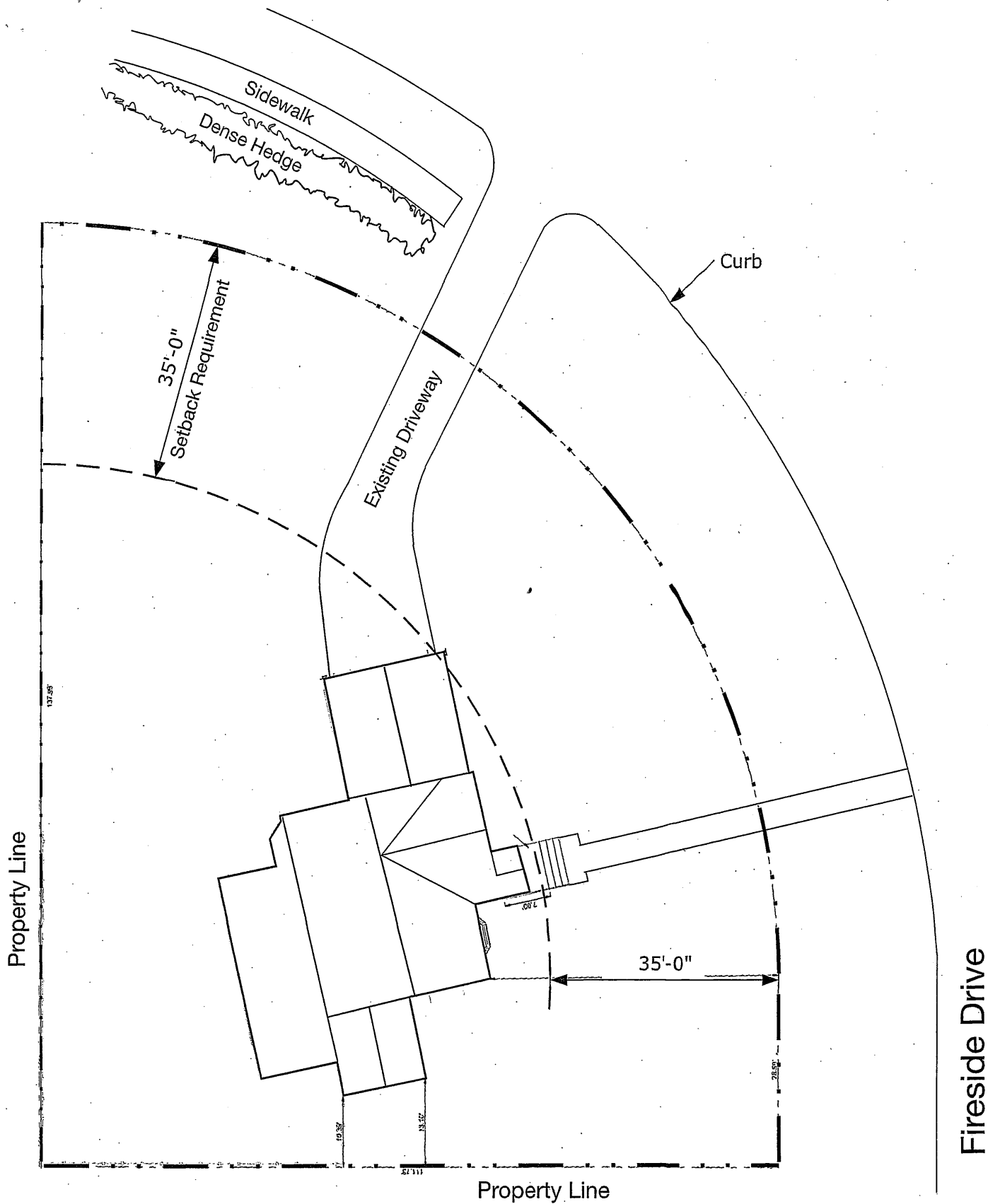
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

# Thomann Residence

4290 Fireside Drive  
Clarence, NY

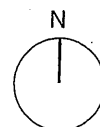
## Existing Aerial View



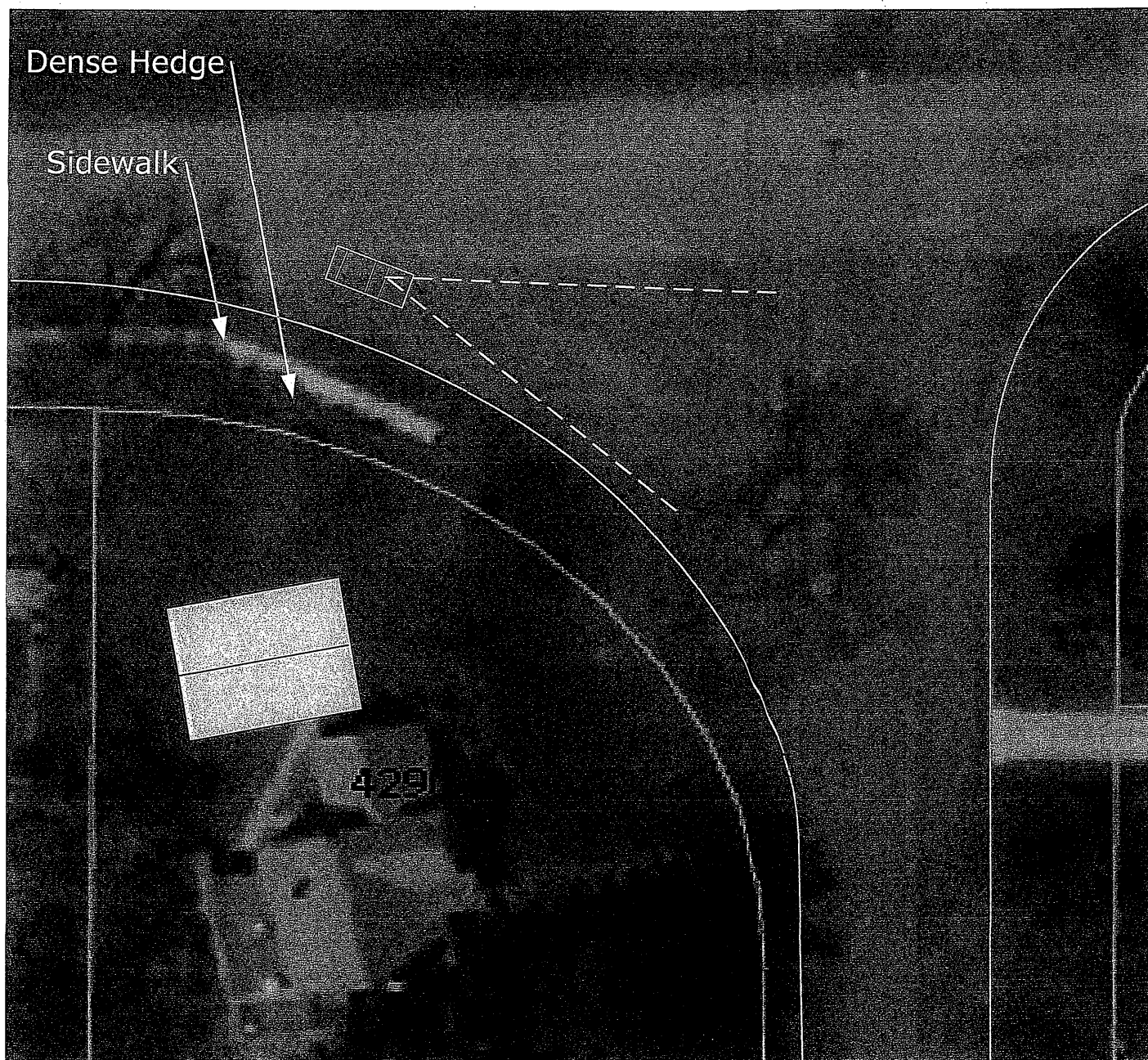


**Thomann Residence**  
4290 Fireside Drive  
Clarence, NY

# Existing Site Plan

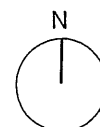


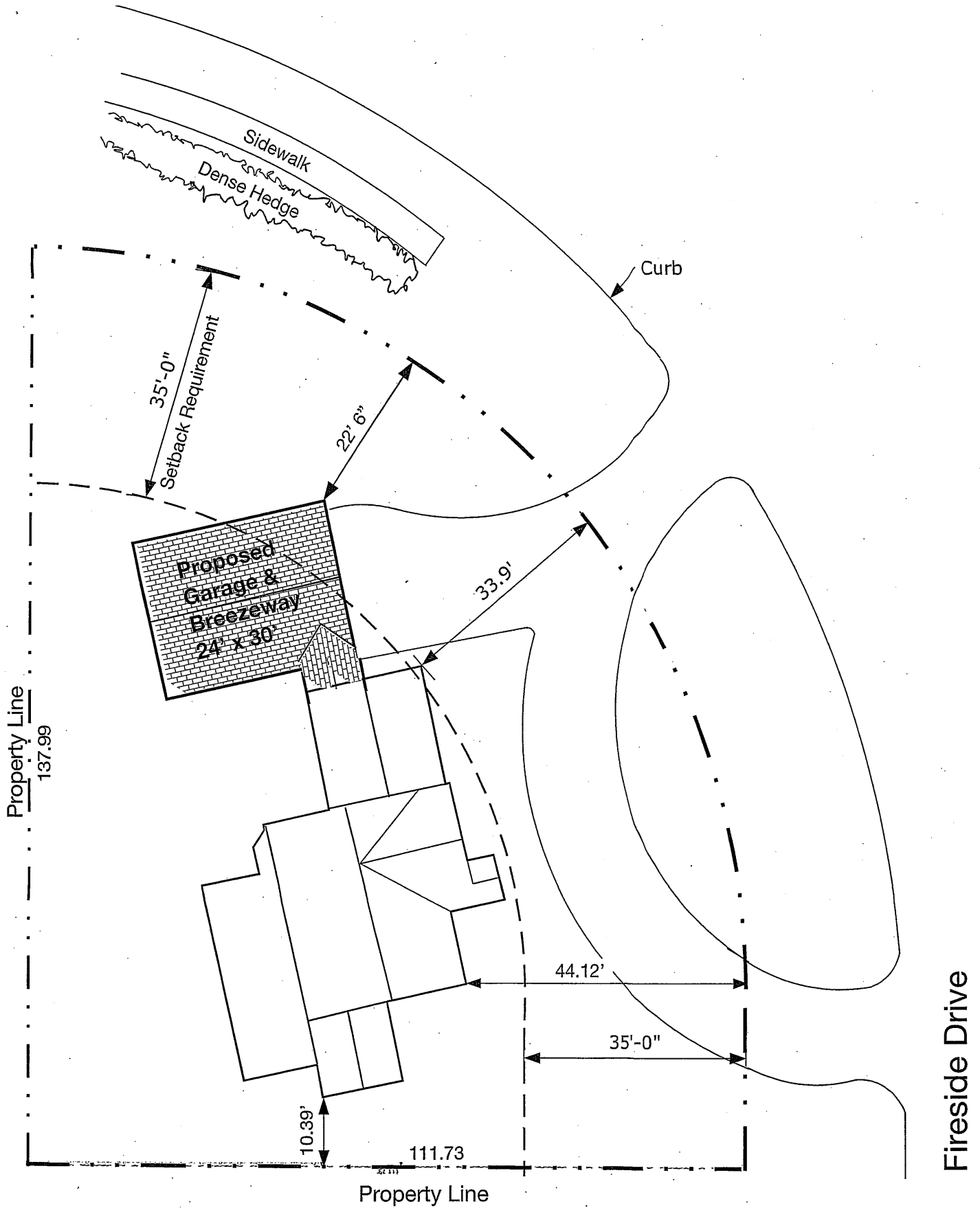




**Thomann Residence**  
4290 Fireside Drive  
Clarence, NY

**Visual  
Impact**

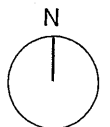




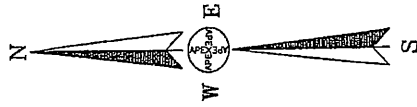
**Thomann Residence**  
 4290 Fireside Drive  
 Clarence, NY

# Proposed Site Plan

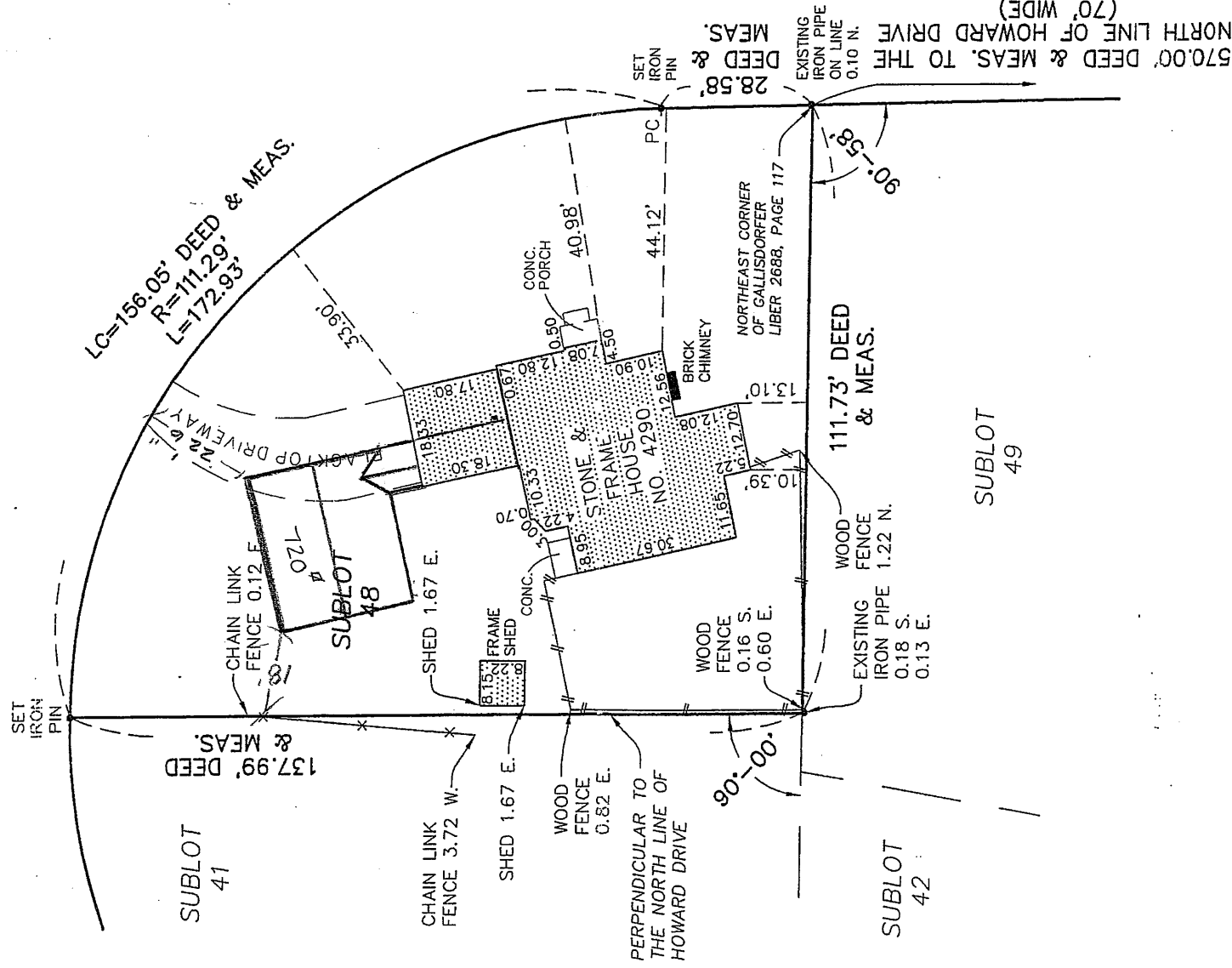
Drawing based on  
 Apex Consulting  
 Survey, Dated 7/1/11







# NOTTINGHAM TERRACE (70' WIDE)



MAP REFERENCE - SURVEY OF SUBDIVISION LOT NO. 48 AS SHOWN ON A MAP FILED IN THE ERIE COUNTY CLERK'S OFFICE UNDER COVER NO. 1642

**APEX CONSULTING**  
SURVEY & ENGINEERING SERVICES, P.C.  
SURVEYING • ENGINEERING • LANDSCAPE ARCHITECTURE  
102 EAST AVENUE, LOCKPORT, NEW YORK 14094  
Phone: (716) 439-0188 FAX: (716) 439-0189

NOTE: UNAUTHORIZED ALTERATIONS TO THIS MAP ARE IN VIOLATION OF SEC. 7209, PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

SURVEY OF PART OF:

LOT -	3	LOCATION - TOWN OF
SECTION -	13	CLARENCE
TOWNSHIP -	12	COUNTY - ERIE
RANGE -	6	STATE - NEW YORK
TRACT:	HOLLAND LAND COMPANY'S SURVEY	
DATE:	7/1/11	JOB NO. 111076
SCALE:	1"=30'	RESURVEY:
SBL NO. -	82.07-3-14	

REVISIONS:

NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY INFORMATION DERIVED BY AN EXAMINATION OF THE SAME.

NOTE: ONLY COPIES OF THIS SURVEY MADE FROM THE ORIGINAL AND EMBOSSED WITH THE SURVEYOR'S SEAL SHALL BE VALID COPIES.

NOTE: THIS SURVEY IS SUBJECT TO EASEMENTS AND RIGHTS OF WAY OF RECORD.

*Christian J. Voss*

CHRISTIAN J. VOSS, L.S.  
N.Y.S. LICENSE NO. 050637

**REQUEST FOR  
ACTION BY:  
TOWN OF CLARENCE, N.Y.**

☒ Appeal Board  
☐ Planning Board  
☐ Town Board

☒ Appeal  
☐ Rezone  
☐ Revise Ordinance  
☐ Subdivision  
☐ Limited Use Permit  
☐ Other

Rec'd. by: Jon Bleuer

Date November 1, 2017

**Action Desired** Applicant requests a variance of 4' to allow a 6' side yard setback for the construction of a detached accessory structure (generator) located at 8195 Lisa Lane in the Residential Single-Family zone.

**Reason** Town Code Reference:  
§229-55 (E) (1)

**PLEASE PRINT**

<b>Name</b>	Angelo Maritato		
<b>Address</b>	8195 Lisa Lane		
	East Amherst	NY	14051
<b>Town/City</b>		<b>State</b>	<b>Zip</b>
<b>Phone</b>	716-741-3907		
<b>Signed</b>	SIGNATURE ON FILE		

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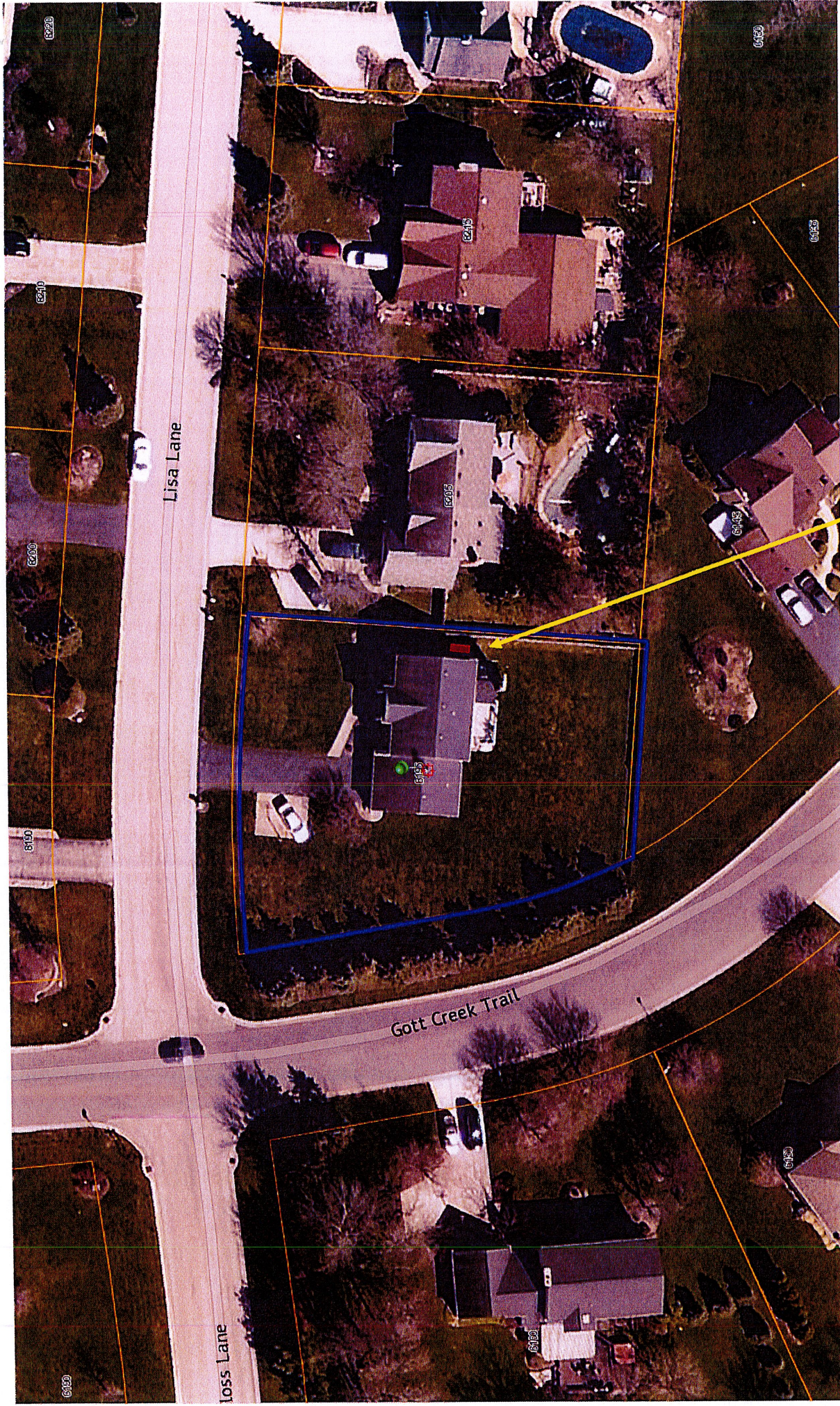
**Initial Action**

Approved ☐  
 Rejected ☐ by ..... on ..... 20 .....  
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 Hearing Held by ..... on ..... 20 .....

**Final Action Taken**

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\* note the parcel lines displayed are approximate

8195 Lisa Lane



Proposed generator with 6' side yard setback  
10' side yard setback required.



**REQUEST FOR  
ACTION BY:  
TOWN OF CLARENCE, N.Y.**

- ☒ Appeal Board  
☐ Planning Board  
☐ Town Board

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☐ Revise Ordinance  
☐ Subdivision  
☐ Limited Use Permit  
☐ Other

Rec'd. by: Jon Blöer  
Date: 11/1/17

Action Desired Install Natural Gas Generator due to frequent loss of Power.

REQUEST 4FT. VARIANCE.

to allow a 6' side yard setback for detached accessory structure

Reason ① MFG recommends Installation close to source of Gas Elec as possible (see Attached Manual) ② Financial Burden as cost could go up \$500. more if Generator is located in rear of House. ③ Much Safer, better protect Not Visible from Road & out of the Way on East side of House

④ See Attached letter from Zenner & Ritter  
⑤ My Neighbor Mark Jann is Very agreeable with the Placement of Generator on East Side of House

Name	<u>ANGELO D. MARITATO</u>		
Address	<u>8195 LISA LANE</u>		
Home #	<u>741-3907</u>	Cell #	<u>725-1419</u>
Town/City	<u>E. Amherst</u>	State	<u>N.Y.</u>
Phone	<u>741-3907</u>	Zip	<u>14057</u>
Signed	<u>Angelo D. Maritato</u>		

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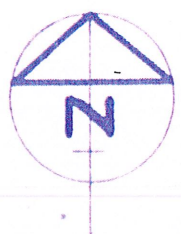
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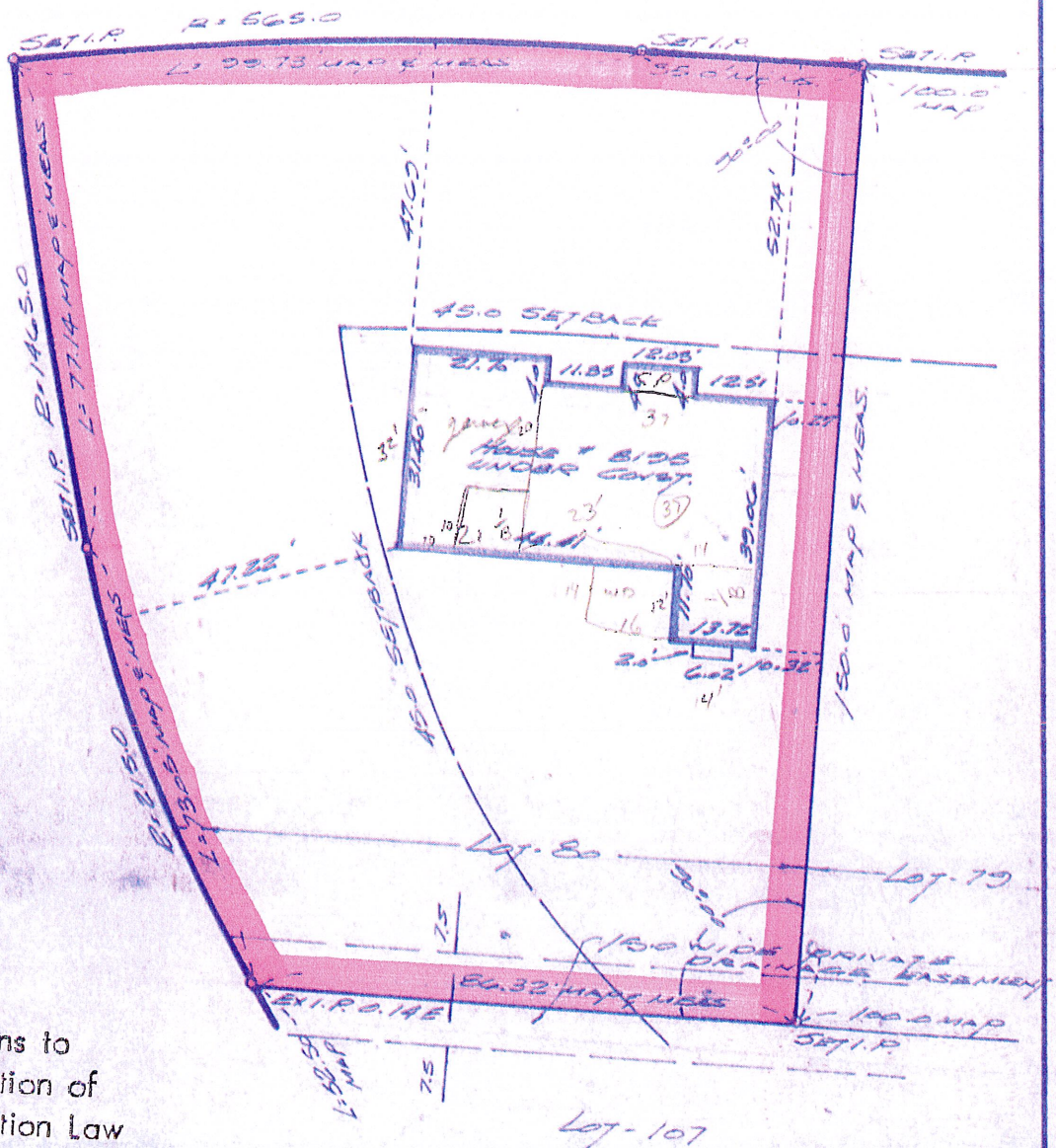


43-4-30  
14-52-20  
#8195

LISA LAKE (70.0' WIDE)



CREEK TRAIL (70.0' WIDE)  
100'



REC'D  
1000  
ZONING COMMISSION

Unauthorized alterations to  
this map are in violation of  
Sec. 7209 State Education Law

SEE REFERENCE MAP OF TRANSIT VALLEY  
ACRES PHASE II, UNDER MAP COVER 2440

BEING PART OF LOTS 2 & 4, SEC. 15, TWP 12, R-6

SURVEY OF SUB Lot 80  
TOWN OF CLARENCE  
CITY OR VILLAGE \_\_\_\_\_  
COUNTY OF ERIE  
STATE OF NEW YORK

REVISIONS  
H/L 6/12/85  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PREPARED FOR  
**CONSTRUCTION/TEAM-MANAGEMENT, inc.**  
BY  
**ROBERT C. REGGENTINE L.S.**  
7178 ROCHESTER ROAD LOCKPORT NEW YORK  
SCALE: 1" = 30' DATE: MAY 20, 1985 DRW. RCR  
JOB No. CBS-032-56 APPROVED: RCR



## Section 3: Site Selection and Preparation

Based on this testing and the requirements of NFPA 37, Sec 4.1.4, the guidelines for installation of the generators listed above are changed to 18 in (457 mm) from the back side of the generator to a stationary wall or building. For adequate maintenance and airflow clearance, the area above the generator should be at least 5 ft (1.52 m) with a minimum of 3 ft (0.91 m) at the front and ends of the enclosure. This would include trees, shrubs and bushes. Vegetation not in compliance with these clearance parameters could obstruct air flow. In addition, exhaust fumes from the generator could inhibit plant growth. See **Figure 3-1** and the installation drawing within the Owner's Manual for details.



### **⚠ DANGER**

Asphyxiation. Running engines produce carbon monoxide, a colorless, odorless, poisonous gas. Carbon monoxide, if not avoided, will result in death or serious injury.  
(000103)

### **⚠ DANGER**

Automatic start-up. Disconnect utility power and render unit inoperable before working on unit. Failure to do so will result in death or serious injury.  
(000191)

If the generator is not set to the OFF mode, it can crank and start as soon as the battery cables are connected. If the utility power supply is not turned off, sparking can occur at the battery posts and cause an explosion.

with 4 in (102 mm) of pea gravel [C], crushed stone or any other non-combustible material sufficient for level installation. Compact and level the material. A concrete pad can be poured if desired or required. The pad should be 4–5 in (102–127 mm) thick and extend 6 in (152 mm) beyond the outside of the generator in all directions.

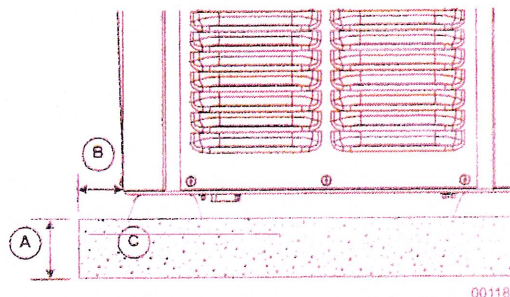


Figure 3-3. Compacted Gravel Pad

**NOTE:** If a concrete pad is required, follow all applicable Federal, State or local codes



Figure 3-4. Poured or Pre-formed Concrete Pad

## Site Preparation

- Locate the mounting area as close as possible to the transfer switch and fuel supply.
- Leave adequate room around the area for service access (check local code), and place high enough to keep rising water from reaching the generator.
- Choose an open space that will provide adequate and unobstructed airflow.
- Place the unit so air vents won't become clogged with leaves, grass, snow or debris. Make sure exhaust fumes will not enter the building through eaves, windows, ventilation fans or other air intakes (see **Site Selection**).
- Select the type of base, such as but not limited to gravel or concrete, as desired or as required by local laws or codes. Verify your local requirements before selecting.

### Material Sufficient for Level Installation

- Dig a rectangular area approximately 5 in (127 mm) deep [A] and about 6 in (152 mm) longer and wider [B] than the footprint of the generator. Fill



October 30, 2017

3404 Bailey Avenue  
Buffalo, New York 14215

phone: (716) 833-2463

fax: (716) 834-8210

[www.zennerandritter.com](http://www.zennerandritter.com)

Angelo Maritato  
8195 Lisa Lane  
East Amherst, New York 14051

Re: variance for the Town of Clarence

To Whom it May concern:

We support the approach of placing the requested natural gas automatic standby generator system at the left/east side of the home as delivering a result with the lowest visual and operational impact on the community, neighbors and property owner.

The applicants property is a corner lot with minimal landscaping to the rear (South) and right (West) elevations. Due to the necessary clearances from the home (building penetrations, operational windows, etc.) attempting to place the generator on these elevations will result in operational sound being transmitted a further distance. The unit will also be clearly visible at a distance from the home to neighbors and those passing by.

There is substantial space between the applicants home and the neighbor to the East, but not enough to achieve a 10' lot line setback regardless of the brand or installation methods utilized. However, there is significant space between the homes and non-living space (garage), storage areas and a fence are the closest portions of the neighbors home. Additional, the neighbor to the East is also installing the same brand of generator in his home and agreeable to the applicant placing the generator at the East elevation.

Clarence requires the most significant separation between a residential air cooled generator and a neighboring property line as compared to any municipality we interact with in the WNY region. As a Clarence resident I appreciate this effort to protect neighbors from intrusive noise as well as the visual landscape. It is my belief that the proposed placement is congruent with the spirit in which the regulations were created.

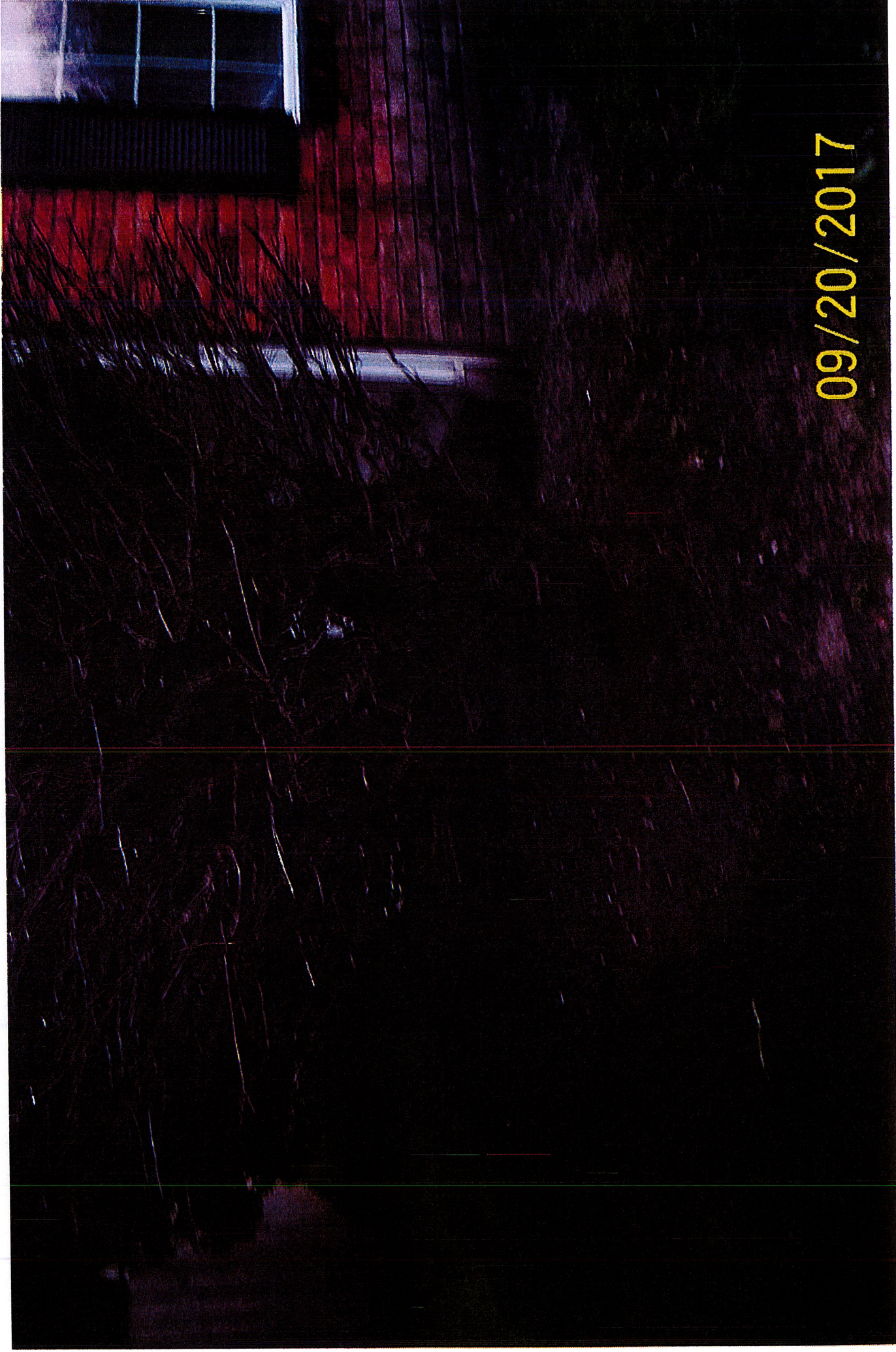
Please contact me or our offices at your convenience with any questions or concerns regarding this or any generator installation matters in the Town of Clarence.

Respectfully Submitted,

Brian Ritter

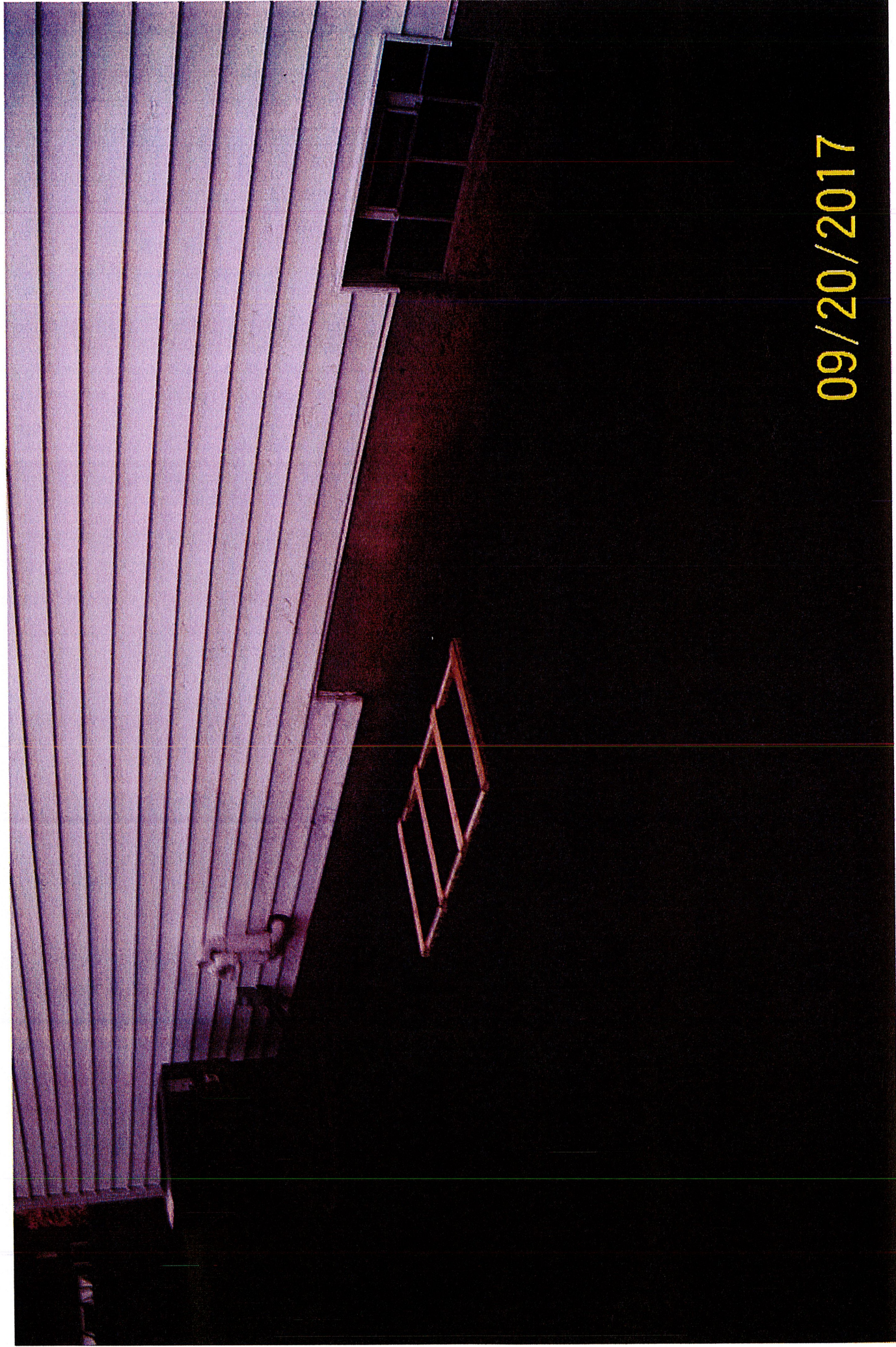
Get [Outlook for iOS](#)





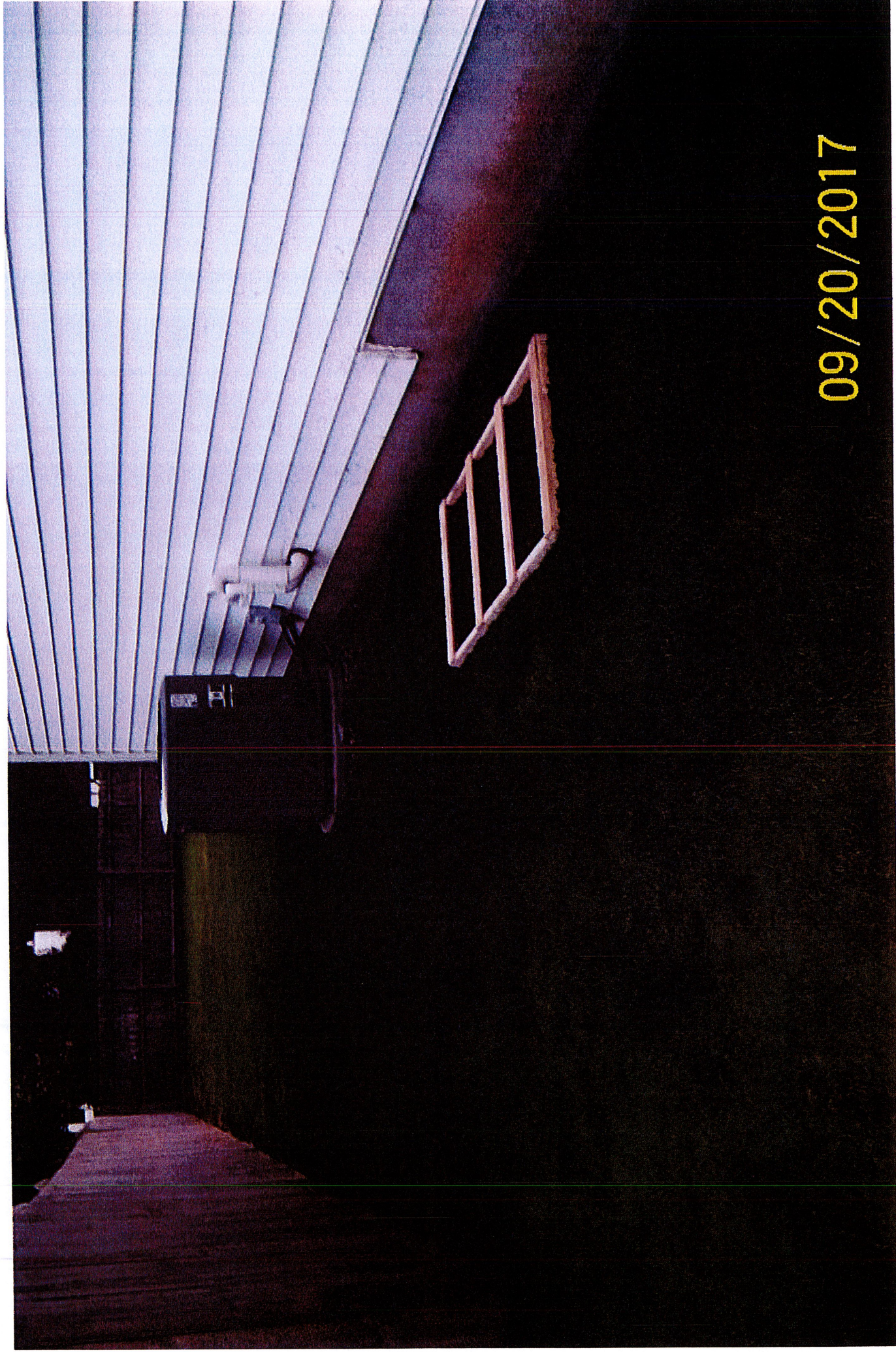
09/20/2017





09/20/2017





09/20/2017





09/20/2017